

Resolution to approve the signing of the Ohio EPA Director's Final Finding and Orders (DFFO)

(Sanitary Engineering)

WHEREAS, the Director of the Ohio Environmental Protection Agency has issued 'Findings and Orders' to Franklin County Board of Commissioners; and

WHEREAS, Ohio Revised Code §§ 6111.03, 6111.46, and 3745.01 grants the authority to the Ohio Environmental Protection Agency to issue 'Findings and Orders'; and

WHEREAS, Franklin County owns and operates a Sewer System which collects sanitary flow from Franklin County, Ohio and transports it to the City of Columbus sanitary sewerage system for treatment at a wastewater treatment plant owned and operated by the City of Columbus; and

WHEREAS, the City of Columbus entered into a Consent Order on August 1, 2002, in *State of Ohio, ex rel. Montgomery v. City of Columbus*, Franklin County Court of Common Pleas, Case No. 02 CVH-05-5768 ("Consent Order"), which requires Columbus to properly operate and maintain its wastewater treatment plants, sewer system, and any associated equipment and structures, including elimination of unpermitted discharges from its collection system and its wastewater treatment plants; and

WHEREAS, Columbus cannot fully comply with the Consent Order unless accurate information about sanitary flow and clear water infiltration and inflow ("I&I") from each satellite collection system is developed, and satellite communities take steps to mitigate the impact of I&I from satellite collection systems on Columbus sanitary sewer overflows (SSO), treatment plant bypasses and water in basements (WIB); and

WHEREAS, the Ohio EPA may adopt and enforce orders governing such systems and requiring submission of records of construction, operation and maintenance, including plans and descriptions of existing sewage treatment and disposal systems; and

WHEREAS, Franklin County has represented to Ohio EPA that it has implemented or intends to implement a Capacity, Management, Operation, and Maintenance (CMOM) Program for all parts of its sewer system by no later than three years of the date of these Orders.

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WHEREAS, the CMOM Program is used to manage collection system assets and consists of best management practices developed by the industry that are applied over the life cycle of the collection system; and

WHEREAS, the Ohio Environmental Protection Agency Director's Final Findings and Orders require Franklin County Board of Commissioners to:

1. Evaluate all 20 satellite sewer systems operated by Franklin County and provide a schedule for implementing required repairs to remove inflow and infiltration,
2. Maintain the improvements and regularly provide updates on the system's status to the Ohio Environmental Protection Agency,
3. Create public notification programs in cases of SSOs or water in basements WIBs

WHEREAS, it is the goal of these Orders that satellite communities properly manage, operate, and maintain all parts of their sewer systems at all times in accordance with these Orders and to:

- a. Provide adequate capacity to convey base flows and peak flows for all parts of the sewer system; and,
- b. take all feasible steps to stop SSOs and WIBs and to mitigate the impact of SSOs and WIBs from the Sewer System; and,
- c. minimize excessive I&I; and,
- d. provide notification to parties with a reasonable potential for exposure to pollutants associated with any overflow event.

BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

1. That Franklin County Board of Commissioners agrees to sign the Ohio EPA Director's Final Findings and Orders for sanitary sewer evaluation and maintenance.

Prepared by: Stephen A. Renner

SIGNATURE PAGE FOLLOWS